



STATE OF CONNECTICUT
OFFICE OF PROTECTION AND ADVOCACY FOR
PERSONS WITH DISABILITIES
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Testimony of the Office of Protection and Advocacy for Persons with Disabilities

Before the Public Health Committee

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Thank you for the opportunity to comment on **HB 6887, An Act Concerning the Department of Public Health's Recommendations Regarding the Protection of Residents in Health Care Institutions**. The Office of Protection and Advocacy for Persons with Disabilities (OPA) writes specifically in support Section 2 of the bill.

Section 2 codifies the protections afforded individuals being discharged from Residential Care Homes (RCH). OPA has represented many individuals who have received discharge notices from an RCH. One of the issues the agency most frequently encounters is that of the inadequacy of discharge notices. While the current statute does not specify what must be in a discharge notice, the hearing officers have uniformly required that an RCH provide "reasonable assistance" to a resident it is attempting to discharge. This assistance must include:

- obtaining and providing the resident a list of all appropriate facilities within the geographical area of interest to the resident;
- permitting the resident reasonable use of its facilities, including its telephones to contact potential placement facilities; and
- Assisting the resident to complete applications for potential placement facilities, including obtaining all necessary medical forms and information.

Furthermore, hearing officers have required that the discharge notice itself must:

- be signed by the facility administrator;
- shall describe the resident's current medical condition;
- identify any medications the resident is currently using;
- explain any social or emotional conditions of the resident that might impact his or her placement in a particular level of facility; and
- Identify the type of facility (e.g., long-term care facility, another residential care facility, home placement, *etc.*) that is most appropriate for the resident.

These requirements are mirrored in the language of HB 6887. Thus, this Act does nothing more than codify what the hearing officers have already been requiring and is not in fact an expansion of existing law. Therefore, any concerns on the part of the owners that this Act imposes onerous requirements beyond their capabilities are at best misguided and disingenuous.

OPA thanks the Committee for its consideration of this important issue and urges its support for Section 2 of **HB 6887, An Act Concerning the Department of Public Health's Recommendations Regarding the Protection of Residents in Health Care Institutions.**